

**REMARKS**

Claims 3-14 are currently pending in this application.

In the June 17, 2004 Office Action, the Examiner objected to the drawings because Figure 4, submitted with the original filing, was not described or even mentioned in the original written description or summary of the drawings. Figure 4 is a plot of a radiation pattern relating to an antenna constructed in accordance with the present invention, but is not necessary to enable the specification. Thus, we respectfully request the Examiner to delete Figure 4.

The Examiner also objected to claims 5 and 10 for various informalities. IN particular, the Examiner required the insertion of the phrase “and” in the following locations:

- Claim 5, line 5 after housing;
- Claim 5, line 16 after position;
- Claim 10, line 22 after position; and
- Claim 10, line 11 after member.

The applicants have amended claims 5 and 10 to recite “and” as required by the Examiner. It is believed this amendment is strictly related to form and is not a narrowing amendment relating to the patentability of the invention.

The Examiner rejected claims 5-7 under 35 U.S.C. § 102(b) as being anticipated by United States Patent 5,109,539 (“Inubushi et al.”) The applicants respectfully traverse this rejection. In particular, claim 5 recites a combination of elements including, for example, “an external, retractable antenna movably mounted on said internal antenna . . .,” which is not disclosed, taught, or suggested by Inubushi et al. While Inubushi et al. does disclose an internal antenna 10 and an external, retractable antenna 8, Inubushi et al. discloses external, retractable antenna 8 is mounted on the

housing 1. In particular, at column 1, lines 34-36, Inubushi et al. states: "Element 9 is a member for mounting the external antenna 8 to the housing and electrically connecting it thereto." (emphasis added). Thus, as clearly shown, Inubushi et al. does not disclose, teach, or suggest "an external, retractable antenna movably mounted on said internal antenna" as recited by claim 5 of the present application. Thus, it is respectfully submitted that claim 5 is patentably distinct from Inubushi et al. The applicant respectfully requests the withdrawal of the pending rejection of claim 5 and the allowance of the claim.

Claims 6 and 7 depend from claim 5 and, by virtue of the dependency, are patentably distinct from Inubushi et al. The applicant respectfully request the withdrawal of the pending rejection and allowance of claims.

The Examiner rejected claims 3, 4, 8, and 9 under 35 U.S.C. § 103(a) as being unpatentable and obvious over Inubushi et al. in view of United States Patent 4,862,182 ("Egashira"). As an initial matter, Egashira does not cure the defect of the Inubushi et al. reference. Therefore, claims 3, 4, 8, and 9, which depend from claim 5, are patentably distinct from the combination of Inubushi et al. and Egashira. The applicant respectfully requests the withdrawal of the rejection of claims 3, 4, 8, and 9 for at least this reason and allowance of the claims. Moreover, the applicant respectfully suggests that the Examiner is reading more into the Egashira reference than the reference in fact discloses. In particular, the Examiner considers the "conductive tube 9" element of Egashira to be a remote RF port as recited in claims 3, 4, 8, and 9. The applicant respectfully disagrees. Rather, the conductive tube 9 is part of the "antenna retaining mechanism" and is not a remote RF port. As described by Egashira "the antenna retain mechanism 5 consists of: A cylindrical fastening part 6 which is used to fasten the mechanism 5 to the case; a water-proof cap 8 equipped with an O-ring 7 to prevent water from seeping into the interior of the case, and a conductive tube 9 which has on its interior circumferential surface an engaging part capable of maintaining a state of electrical continuity with groove 3a which acts as the feeding conductive part of the main antenna element 1." Thus, claims 3, 4, 8, and 9 are patentably distinct from

Inubushi et al. and Egashira either alone or in any reasonable combination thereof for at least this additional reason. Therefore, the applicant respectfully requests the removal of the pending rejection and allowance of claims 4, 3, 8, and 9 for at least this additional reason.

The Examiner rejected claims 10, 12, and 13 under 35 U.S.C. § 103(a) as being unpatentable over Inubushi et al. in view of well known prior art. The applicant respectfully traverses this rejection. Claim 10 contains recitations similar to claim 5 above and, at least by virtue of this similarity, is patentably distinct from Inubushi et al. The well known prior art the Examiner outlines, which applicant disagrees is in fact well known prior art, does not cure the defect in Inubushi et al described above. Thus, claim 10 is patentably distinct from Inubushi et al. in view of the recited well known prior art. The applicant respectfully requests the withdrawal of the pending rejection and allowance of claim 10. Claims 12 and 13 depend from claim 10 and, by virtue of this dependency are patentably distinct from the references either alone or in any reasonable combination thereof. Thus, the applicant respectfully requests the withdrawal of the pending rejection of claims 12 and 13 and allowance of the claims.

The Examiner rejected claim 14 under 35 U.S.C. § 103(a) as being unpatentable and obvious over Inubushi et al. in view of the recited well known prior art in further view of Egashira. The applicant respectfully traverses this rejection. Claim 14 depends from claim 10 and contains similar to claims 3, 4, 8, and 9 identified above. Claim 14 is patentably distinct from Inubushi et al. in view of the recited well known prior art in part because of the dependency on claim 10, which is patentably distinct from Inubushi et al. in view of the well known prior art. Further, Egashira does not cure the defects noted above. Also, claim 14 contains limitations similar to claims 3, 4, 8, and 9 and, by virtue of these similarities, is patentably distinct from the references alone or in any combination thereof. Essentially, the known prior art does not cure the defects of Inubushi et al. and Egashira identified above.


Finally, the Examiner objected to claim 11 as being dependent on a rejected base claim, but otherwise allowable. The applicant thanks the Examiner for the indication of allowable subject matter. However, in view of the foregoing, the applicant respectfully submits that claim 11 is dependent on an allowed claim and requests the Examiner reconsider and remove the objection to claim 11.

For all the foregoing reasons, the applicant respectfully requests the Examiner reconsider and withdraw the pending rejection and allow claims 3-14.

No fee is believed due for this submittal. However, any fee deficiency associated with this submittal may be charged to Deposit Account No. 08-2623. Should any extensions of time not accounted for be required, consider this a petition therefore and charge the associated fee to Deposit Account No. 08-2623.

Respectfully submitted,

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